IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.2612 OF 2004
IN
WRIT PETITION NO.3352 OF 2004

Parshwanath Co-operative Bank Ltd.
& anr. .. Applicants

v/s.

The State of Maharashtra & ors. .. Respondents

Mr.A.M.Kulkarni i/by Mr.A.A.Kumbhakoni for the applicants.

Mr.S.R.Nargolkar, Assistant Government Pleader for the respondent Nos.2 and 3.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 11th April, 2005

P.C.

By this civil application, the applicants (respondent Nos.2 and 3 in the writ petition) pray for direction that the opponent No.1 (writ petitioner) be directed to deposit the entire arrears of loan amount including interest i.e. Rs.12,91,238.15 ps. within the reasonable time.

2. We find from the proceedings that on 14th January, 2005, time was granted to the counsel for the petitioners to make statement regarding the amount that the writ petitioner is willing to deposit for continuation of the interim order.

3. The opponent to this civil application (writ petitioner) is not present . No reply affidavit

has been filed in opposition to the civil application.

4. Taking overall facts and circumstances of the case, particularly the fact that the writ petitioner is not prepared to make any statement about the reasonable amount being deposited by him towards the dues of the bank, we are satisfied that the interim order operating in the matter deserves to be vacated. We order accordingly.

5. Civil application stands disposed of.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)